

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

In re:

Alan Weller
AKA Alan Eugene Weller,
AKA Alan E. Weller
Mary Jane Weller
AKA Mary Weller,
AKA Mary J. Weller

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Case No.: 09-37920

Chapter 13

Judge Guy R. Humphrey

Debtor(s).

Response to Notice of Final Cure Payment

Name of creditor: Wells Fargo Financial Ohio 1, Inc. Last four digits of any number you use to identify the debtor's account: 5275
Uniform Claim Identifier: _____ Court claim no. (if known): 9

Part 1: Status of Payments on Claim and Post-Petition Payments

In response to the Trustee's Notice of Final Cure Payment, Creditor states that:

Section A: Status of Claim Amounts (Choose ONE in Section A)

- ☒ As of 11/26/ 2014, Debtor(s) has paid in full the amount required to cure the default on the Creditor's claim.
- ☐ As of _____, Debtor(s) has not paid in full the amount required to cure the default on the Creditor's claim.
- ☐ The Creditor contends that the amounts itemized in Part 2 below remain unpaid.
- ☐ The Creditor contends that Trustee disbursement(s) totaling _____ have not yet been posted to the account. With the application of these funds, the Debtor(s) will have paid in full the amount required to cure the default on the Creditor's claim.

Section B: Status of Post-Petition Payment, Fees, Expenses and Changes (Choose ONE in Section B)

- ☐ Post-Petition Payments Paid by Debtor(s)
- ☐ As of _____, the Creditor agrees that the Debtor(s) is current on all post-petition payments, fees, expenses, and charges.
- ☐ As of _____, the Creditor disagrees that the Debtor(s) is current on all post-petition payments, fees, expenses, and charges. The Creditor contends that the post-petition payments, fees, expenses, and charges in Part 3 below remain unpaid.
- ☒ Post-Petition Payments Paid by Trustee
- ☒ As of 11/26/ 2014, the Creditor agrees that the Debtor(s) is current with all post-petition payments consistent with Section 1322(b)(5) including all fees, charges, expenses, escrow and costs. Debtor(s) is due post petition for 11/31/2015.
- ☐ The Creditor contends that Trustee disbursement(s) totaling _____ have not yet been posted to the account. With application of these funds, the Debtor(s) will be current with all post petition payments consistent with Section 1322(b)(5) including all fees, charges, expenses, escrow and costs.
- ☐ As of _____, the Creditor disagrees that the Debtor(s) is current on all post-petition payments, fees, expenses, and/or charges consistent with Section 1322(b)(5). The Creditor contends that the post-petition payments, fees, expenses, and charges in Part 3 below remain unpaid.

Part 2: Itemization of Claim Amounts not Cured by Debtor(s)

Description	Amount
1. Late charges	(1) \$ _____
2. Non-sufficient funds (NSF) fees	(2) \$ _____
3. Attorney's fees	(3) \$ _____
4. Filing fees and court costs	(4) \$ _____
5. Advertisement costs	(5) \$ _____
6. Sheriff/auctioneer fees	(6) \$ _____
7. Title costs	(7) \$ _____
8. Recording fees	(8) \$ _____
9. Appraisal/broker's price opinion fees	(9) \$ _____
10. Property inspection fees	(10) \$ _____
11. Tax advances (non-escrow)	(11) \$ _____
12. Insurance advances (non-escrow)	(12) \$ _____
13. Property preservation expenses	(13) \$ _____
14. Escrow shortage or deficiency (not included as part of any installment payment listed in line item 15)	(14) \$ _____
15. Past Due Payments	
_____ - _____ installments at _____ \$0.00	
_____ - _____ installments at _____ \$0.00	
_____ - _____ installments at _____ \$0.00	
Past due payments prior to _____ in the total amount of _____ See attached for breakdown.	
Total payments due	(15) \$ _____ 0.00
16. Other. Specify: _____	(16) \$ _____
17. Other. Specify: _____	(17) \$ _____
18. Unapplied Funds	(18) \$ _____
19. Total claim amounts not cured by Debtor(s). Add all of the amounts listed above.	(19) \$ _____ 0.00

Part 3: Itemization of Post-Petition Payments, Fees, Expenses and Charges not Cured by Debtor(s)

Description	Amount
1. Late charges	(1) \$ _____
2. Non-sufficient funds (NSF) fees	(2) \$ _____
3. Attorney's fees	(3) \$ _____

4. Filing fees and court costs (4) \$ _____
5. Advertisement costs (5) \$ _____
6. Sheriff/auctioneer fees (6) \$ _____
7. Title costs (7) \$ _____
8. Recording fees (8) \$ _____
9. Appraisal/broker's price opinion fees (9) \$ _____
10. Property inspection fees (10) \$ _____
11. Tax advances (non-escrow) (11) \$ _____
12. Insurance advances (non-escrow) (12) \$ _____
13. Property preservation expenses (13) \$ _____
14. Past Due Payments
Escrow advance on the account?
☒ No
☐ Yes Escrow advance balance on the account is _____ and will be collected through
the escrow portion of the ongoing monthly installments.
_____ - _____ installments at _____ \$0.00
_____ - _____ installments at _____ \$0.00
_____ - _____ installments at _____ \$0.00

Past due payments prior to _____ in the total amount of _____
See attached for breakdown

Total payments due (14) \$ 0.00
15. Other. Specify: _____ (15) \$ _____
16. Other. Specify: _____ (16) \$ _____
17. Unapplied Funds (17) \$ _____
18. Total postpetition fees, expenses, and charges. Add all of the amounts listed above. (18) \$ 0.00

/s/ Mary E. Krasovic

Mary E. Krasovic (0085380)

Stacey A. O'Stafy (0070386)

John R. Cummins (0036811)

Edward H. Cahill (0088985)

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Attorneys for Creditor

The case attorney for this file is Mary E. Krasovic.

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Additional Documentation

CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2014, a copy of the foregoing Response to Notice of Final Cure was served on the following registered ECF participants, **electronically** through the court's ECF System at the email address registered with the court:

Office of U.S. Trustee
Southern District of Ohio
Party of Interest
170 North High Street, #200
Columbus, OH 43215

Jeffrey M. Kellner
131 North Ludlow Street
Suite 900
Dayton, OH 45402
ecfclerk@dayton13.com

Eric A. Stamps
Attorney for Alan Weller
AKA Alan Eugene Weller,
AKA Alan E. Weller and
Mary Jane Weller
AKA Mary Weller,
AKA Mary J. Weller
Stamps & Stamps
3814 Little York Road
Dayton, OH 45414
stampslaweric@hotmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid on December 2, 2014:

Alan Weller
AKA Alan Eugene Weller,
AKA Alan E. Weller
Mary Jane Weller
AKA Mary Weller,
AKA Mary J. Weller
807 Forest Avenue
Piqua, OH 45356

Miami County Treasurer
201 West Main Street
Troy, OH 45373

Wff Cards
3201 N 4th Avenue
Sioux Falls, SD 57104

/s/ Mary E. Krasovic